

The Hongkong Telegraph.

**THE VALUE OF PUBLIC OPINION
IN HONGKONG.**

to these sweeping assertions may, perhaps, be found in the case of the Chinese Member; the existence of a very strong Chinese public opinion in our midst has been sufficiently demonstrated in the past to admit of any doubt now, and as Dr. Ho Kai is the duly elected representative of his nationals, his position in the councils of the colony is as unique as it is gratifying to Chinese aspirations. Members of the Legislative Council nominated by the Government without reference to the wishes of the community may or may not prove reliable safeguards of public *versus* official or purely personal interests; but in any case they are not the elect of the rate-payers, and it will hardly be denied that this is a very singular anomaly in these levelling and enlightened days. The necessity for the right of Government nomination in appointing unofficial legislative councillors, if it ever really existed, has no longer any *raison d'être* even in Crown colonies; and we believe that 'Hongkong' is, absolutely, the last important station that is still burdened with these galling and unconstitutional fetters. The same argument applies, in a lesser degree, to the members of Council elected respectively by the Justices of the Peace and the Chamber of Commerce. They may represent the views of these two institutions, but that does not mean that they must also of necessity equally represent the general community. The *ipso facto* of Governor BOWEN, that this method of selection was the only form of popular election practicable in Hongkong, was like a great many more of that foolish old gentleman's frothy enunciations, a compound of inexcusable ignorance and careless misrepresentation. It had the effect, however, of introducing a baneful "class" system in our local government which would not have been tolerated elsewhere, and of swamping the natural and legitimate aspirations of the community for an elective Municipal Council like those in other colonies, to manage all local affairs. The time is now ripe for important reforms in this direction, and the return of the colony of Governor DES VŒUX is a fitting opportunity to begin the good work. There is sufficient influence, ability and energy amongst the despised middle lower class to effect any measure of reasonable reform against all opposition, if these qualities are only properly applied. We have debating, literary and other societies flourishing in our midst; we have lately seen a Marine Officers' Association become a power in the colony; and a powerful Institution of Marine Engineers, has, keeping with the spirit of the times, just sprung into existence for the purpose of protecting the interests of that influential body. The formation of a Political Club or Society would present no insuperable difficulties, and under capable management would probably obtain within a few months important measures of reform from the Government, if left to itself and the influences of the favored few who are at present enjoying privileges that belong to the many, will probably 'sleep on' for years.

ever been started in Hongkong, on representations which appear, not to use any harsher term, to have been based on a most uncertain foundation. A few weeks after the Company first commenced operations the success was reported to be so astonishing that in a very short space of time the shares were quoted in the local market at from four to five hundred per cent. premium, and it is almost superfluous to say that the golden opportunity was not lost of making hay, while the sun was at its Zenith, by the original promoters of the concern. So far as the actual business prospects of the Tramway Company are concerned, there has been no appreciable change from the day it was started up till now. Reliance was placed for a steady income from permanent residents in the Peak districts, and we believe that the calculations of the promoters were chiefly based on this source of revenue, the outside traffic from casual visitors being necessarily a changeable and uncertain element. So far as we can learn there has not been such a great diminution of the number of hill residents as to transform a prospective profit into what can only be regarded as a rather serious loss, so it would appear that the mistake was originally made in drawing up a prospective balance sheet. That there has been for the past year a great falling off in the casual visitors' traffic cannot be doubted; but for this drawback there are intelligible causes, and there is every reason to suppose that a substantial improvement in this respect in the near future may be relied on with some confidence.

The gross receipts for the twelve months total £25,203.20, which at first sight seems a fairly large return for the Company's small capital; but when it is found that almost the whole of this is taken up by working expenses — which aggregated £24,170.21 — and leave a nominal net profit of only £1,032.99 — the evident conclusion to be arrived at is that someone has blundered grievously in estimating the

Hongkong is unfortunately situated in being so easily within reach of Chinese criminals as a haven of refuge. The misfortune, of course, is the colony's advantage: the pollution is distinct from the Chinese authorities, whose elaborate spy system enables them to keep on the track of all dangerous offenders and, with the assistance of the Hongkong Government, to eventually bring them to earth - taking this last phrase in a literal sense. We rarely hear of an unsuccessful outbreak against the Chinese authorities in the Liang Kwang or Tonkin provinces that is not, shortly followed, by the arrest in this colony, at the instance of the Viceroys of Canton, of one or more alleged notorious murderers and plotters whose defence invariably is that they were concerned in an insurrection or rebellion against the Government. But that they never were near the vicinity where the

destitute of knowing what he was actually voting for, and his query—Whether there was any risk of Mr. CHADWICK's plans being departed from, now that that expert had left the colony? was, in light of past experiences, very much to the point. And as it elicited a reply to the effect that the resident engineer would not be justified in altering or modifying the plans; and that not generally known information that Mr. CHADWICK was in receipt of \$300 per annum from the colony as "consulting engineer at home" in connection with the work, Mr. WHITHEAD did not labour in vain. But something still more important resulted from his inquiry, something that calculated to profoundly astonish those who have taken any interest in the past achievements of the talented staff of the Public Works department. The Surveyor General committed himself to the astounding statement that the increased cost over estimate of the new Central School—Sir Toady Boxzias, wanted Victoria College—was "owing to the foundations of the building having turned out a great deal worse than was expected."—"provision was not made in the estimates for such a bad foundation as was found when the ground was opened up."—Mr. Boxzias, on being caajoised by Dr. Ho Kai as to how the foundation turned out worse than expected, regretted he "couldn't make his words any clearer and practically collapsed when Mr. CHADWICK speaking from an extensive experience on such matters, politely, but none the less plainly, indicated that he did not believe that bad foundations could possibly have almost doubled the estimated cost of the building. And then the Chairman of the Committee (Mr. W. M. DEANE) approved the discussion, and Mr. CHADWICK, who had been suggested to Mr. WHITHEAD and his colleagues as a questioner in the Legislative Council, would bring forward a required "information" about the Central School Building—candidate of Mr. HASTINGS.

A GOVERNMENT GAZETTE Extraordinary, issued late this evening (23rd inst.), announces that Excellency Sir G. William D'Almeida K.C.M.G. has resumed the duties of Governor; and Commander-in-Chief of this Colony. Mr. E. Fleming returns to the Colonial Secretary's office. Mr. M. Deane, resumes the office of Captain-Superintendent of Police, his usual assistant on Executive and Legislative Councils and Vice-President of the S.S.A.U.R.I.; and Mr. J. H. General, resumes the duties of Chief Clerk of the Government. Mr. J. F. B. Lockhart resumes the office of Registrar-General.

to make what ought to be the most interesting sporting event of the year more in keeping with the altered character of modern racing. The present added money of £100 for first and £50 for second pony—is simply absurd in these days of big stakes and high priced racers. A sum of at least £300 for winner, with £100 for the second and £100 for the third, should be added from the Fund, and the whole of the subscriptions ought also to be given to the winner. The Jockey Club can well afford to give a great deal more added money than has been the practice, and it is only rogues, owners and active supporters of racing to object to move in this matter in order to obtain the desired alterations. In another point the conditions for the Hongkong Derby are fair and this is fair making the standard weight 12 stb., without regard to the height of the pony instead of weight, for inches as per scale. Standard weight, as has been urged, may be equally fair to all parties concerned, but it certainly not fair to the interests of true sports. To put a 12.3 and a 13.4 pony in at even weight over a mile-and-a-half journey is ridiculous. The Entertainer would probably have won the Derby last season under any circumstances, but it is not to be forgotten that he was actually carried under his proper weight, an advantage, which no racing sports can thoroughly appreciate. What can be heard, there is likely to be a strong opposition for the forthcoming Derby and although the highly tried Royalty ought to stand out far ahead of any of the dark or experienced opinions in Shanghai are divided as to the merits of Mr. Buxey's race. The Two stable is said to have a strong horse in Griffin, and for latest advice from Nanking indicate that several dangerous colts dates will be furnished from Mr. Sassoon's powerful connections. "Wuylong's" second representative is also credited with possessing several darks in the same water, and it is presumed that the best of them will be sent to the Derby which is held in Hap Valley, his colts will be carried by the pick of his race.

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MEETING OF THE LEGISLATIVE COUNCIL.

A meeting of the Legislative Council was held on the 20th inst. There were present: His Excellency the Officer Administering the Government (Mr. F. Fleming); Mr. W. M. Deane (Acting Colonial Secretary); Mr. E. J. Adams (Acting Attorney-General); Mr. H. E. Woodhouse (Acting Colonial Treasurer); Mr. N. G. Mitchell (Acting Registrar-General); Messrs. C. P. Chater, P. Ryrie, T. H. Whitehead, Ho Kai, and J. J. Keawick, (unofficial members), and Mr. F. A. Haselard, Acting Clerk of Councils.

MINUTES.

The minutes of the last meeting were read and confirmed.

REVENUE FROM LIGHT DUES.

Pursuant to notice Mr. T. H. Whitehead asked the following question:—Will the Government lay on the table a statement showing the aggregate amount of Light Dues collected from 1st January to 31st March last, both days inclusive, and from 1st April to 30th November last, also both days inclusive?

The Acting Colonial Secretary replied, that the amount of Light Dues collected from the 1st of January to the 31st of March last was \$8,100 and from the 1st of April to the 30th of November last, the Dues collected amounted to \$56,117.64.

NATURALIZATION OF CHINESE.

The Acting Attorney-General in moving the second reading of two Bills relative to the naturalization of Lai Si Tong and Choi Wai, otherwise Choi Tsun, stated that the applicants were merchants carrying on business in Bonham Strand.

THE END OF THE CIVIL LIST.

The Acting Attorney-General moved the third reading of an Ordinance to repeal Ordinance No. 13 of 1860, for the establishment of a Civil List.

The Bill was read a third time without opposition.

ADJOURNED COMMITTEES.

Upon the suggestion of the Acting Attorney-General, Committees on Bills entitled "The Gambling Ordinance, 1890," and "An Ordinance to amend the Law relating to Bankruptcy," were postponed sine die. Respecting the Gambling Ordinance the speaker said the official members of the Council desired to have further time to consider the provisions of the Bill.

PUBLIC OFFICERS' PENSION FUND.

Some opposition was offered by Mr. T. H. Whitehead to the third reading of a Bill entitled "An Ordinance to provide for, and regulate a Pension Fund for widows and children of Public Officers of the Colony," which was moved by the Acting Attorney-General. Mr. Whitehead urged that the Bill should be controlled by the Supreme Court and not rest entirely with the Governor of the Colony. The Attorney-General in reply stated that the control of the Fund would, by virtue of the provisions of the Bill, be largely vested in the Supreme Court. His Excellency, the Acting Governor then spoke on the subject at some length and said that a Fund of a precisely similar kind was in a very promising condition in the colony of Jamaica. Rather than cause the Council the trouble of dealing with the Bill again in Committee Mr. Whitehead withdrew his motion for the postponement of the Bill, which then passed its third reading.

THE REPORT ON EXTRAORDINARY PUBLIC WORKS.

A long discussion relative to the unofficial members proposed *advisors* to the report on the proceedings of the meetings of the Finance Committee at which the estimates of the "Public Works, Extraordinary" were discussed at length, a long discussion took place, his Excellency objecting to forward it on the grounds that it was drawn up in language that could not fail to convey a false impression to the Secretary of State for the Colonies. So far from refusing to give information he had, he said, furnished all the information that it was in his power to lay before hon. members. It would be unfair to forward a document of the kind indicated, until the official members had had an opportunity of explaining, from their points of view, the matters therein alluded to.

After some further discussion the Bill was referred back to the Finance Committee and the Council adjourned until Monday the 22nd inst.

December 22nd.

THE UNOFFICIALS' MEMORANDUM.

His Excellency said that the object of the meeting to-day was to deal with the report of the Finance Committee. Since the last meeting of the Council he had had the honour of conferring with the unofficial members respecting their proposed *addenda* to the report, and he thought that some arrangement could be arrived at in order that no further delay in the transmission of the report to the Secretary of State might be avoided.

Mr. P. Ryrie—said he thought that the report on the Estimates had been dealt with sufficiently for the present. He would lay on the table a memorandum which he had reason to believe would be forwarded by his Excellency to the Secretary of State.

Mr. Ryrie then laid the Memorandum of the unofficial members on the table. It was read by the Clerk of Councils and ran as follows:—

ESTIMATES FOR PUBLIC WORKS, EXTRAORDINARY, FOR 1891.

In connection with the estimates for 1890 the Right Hon. the Secretary of State, Lord Knutsford, addressed a most important despatch to the Government dated 18th April last. We are fully convinced of the appropriateness of Lord Knutsford's views and opinions therein expressed and that they apply, with equal if not greater force, to the estimates for 1891. So much so that we desire to draw particular attention to the concluding paragraphs of the said despatch.

Para 1 reads:—

"I do not wish to imply any doubt that the colony, provided the revenue continues to remain unimpaired, can afford to construct in a substantial way many public works of which there is pressing necessity, but the way in which the estimates have been framed of late years seems to indicate a tendency to initiate numerous works on a perhaps unnecessarily liberal scale, without due regard to the capabilities of the Public Works Department, the relative importance of the works, and the possibility of defraying the total expenditure to which the colony will thus be ultimately committed."

Para 2 reads:—

"I shall be glad to receive at an early date an accurate statement showing all the public works which are in contemplation, with the estimated cost of each, the amount spent on each up to the 31st December last, and the amount it may reasonably be expected that the Public Works Department will be able to spend on each during the year. I need scarcely point to the facility of placing on the estimates sums largely in excess of the powers of that Department to make good of. The statement requested should include details and explanations of the items for 'Sanitary Works' which was originally \$1,500,000 (of which about \$100,000 has been reached). The public works to which the Colony is actually committed should be distinguished, and a statement made as to the comparative urgency of all, as some

at even if funds are forthcoming it will take many years to carry out the programme now contemplated, and unless some works are altogether postponed others of pressing necessity must be delayed."

And Para 3 reads:—

"Pending the receipt of the information above asked for, I limit my approval to those works to which the Colony is already committed, and to those which are deemed to be of urgent necessity."

In the minute of his Excellency the Officer Administering the Government on the Estimates for 1891 dated 20th October last, paragraph 7 reads:—

"The revised estimated ordinary expenditure for 1891 is \$1,674,780. The estimated extraordinary expenditure, \$300,270 instead of \$304,270 as stated by the Officer Administering the Government a short time ago, some omissions having been made in the draft estimates as originally prepared. This makes a total expenditure of \$1,975,050. Instead, therefore, of having a balance of \$46,000 on hand at the end of 1891 there is an estimated deficit of \$100,000."

"But the greatest increase on expenditure is caused by that estimated as necessary for Public Works."

"As a proof of the continued increase of expenditure under this head it is worthy of remark that in the year 1875 the amount expended on the Surveyor General's Department on Public Works and buildings, roads, streets and bridges amounted to \$169,642 whereas for 1891 the estimated sum for the Surveyor General's, the water and drainage and the Sanitary Department amounts to no less than \$300,270 while the total amount estimated for the construction of such public buildings as have actually been commenced or are in contemplation is \$540,267, which will have to be further increased should a new gaol be constructed."

In view of the above very clearly expressed and decided opinion of the Secretary of State regarding the estimates for 1890 and the great and growing increase of public works expenditure pointed out by H.E. the Officer Administering the Government in the minute quoted we deeply regret the continuance of the practice, hitherto obtaining on the part of the Government when the outlay was on a limited scale, of asking for such large votes of money without providing with more complete information and more reasonably detailed statements respecting the proposed public works to which the money has been authorized to be applied. Government has invited us to sanction it spending upwards of \$300,000 during 1891. We seriously question whether this amount is not largely in excess of the powers and the capabilities of the Public Works Department to make proper use of. We think such sums should be voted cautiously and with great circumspection. In addition to the information now supplied, we earnestly desire to record our opinion that for the future before being asked to vote we should be provided with reasonably detailed statements of each of the proposed works, setting forth all the reasons which necessitate and justify the proposed expenditure, also, we think that reasonably detailed designs, drawings and plans should in each instance be produced. All this should be done, we submit, at such a time that we may have ample and sufficient opportunity for due inspection and deliberation, and of becoming acquainted with all the reasons for sanctioning the proposed work and ascertaining the cost it is really likely to entail.

With such evidences of wastefulness and extravagance as attended the building of the Victoria College, as are connected with the building of the Civil Hospital Staff Quarters at a cost of \$73,000, and seem to be tantamount to the making of the foundations of the New Central Market, and for other good reasons, it is absolutely incumbent on us to vote public money cautiously, and with due circumspection. The Resolution agreed to after modification by the Legislative Council on the 3rd ultimo asked for a general statement, embodying reasonably detailed particulars of each proposed work and setting forth the necessity for such work, in order that the Council might know exactly why and for what they are voting the money.

The information supplied us has not, in our opinion, been of a sufficiently detailed nature and we desire to express a hope that previous to being asked to vote large sums in the future all such particulars will be given as will enable us to judge of the extent and nature of the work proposed and of the cost which its completion will entail in so far as such can possibly be ascertained.

As an instance of how matters have been carried on we may be permitted to here quote an extract from the Surveyor General's letter of 17th June last to the Acting Colonial Secretary:—

"I attempted to prepare a satisfactory estimate for the new year, but failed, for the simple reason that for some of the works included in the estimates for 1889, which had to be carried on to the present year, no detailed designs or estimates, or, at least, no estimates, had ever been prepared, and it was hopeless without assistance, in the very limited time available before the date fixed for sending in the estimates, to attempt to prepare all these estimates and designs."

And further, the Surveyor General's letter of 14th August last, also to the Acting Colonial Secretary, para 2 reads:—

"The preparation of these estimates has involved an unusual amount of labour owing to the introduction of the new form of estimate and to the practice which appears to have prevailed of the past of sanctioning and commencing works before detailed drawings and estimates had been prepared."

We earnestly and respectfully recommend that in the case of any new work proposed the Surveyor General should in all future cases lay a statement before the Public Works Committee, giving the fullest details and estimates. The Public Works Committee would then consider each one, and report upon it to the Finance Committee; and no vote should be asked from Council until the fullest details of every nature had been obtained and considered during these preliminary stages.

Government statement and on the strength of carefully prepared detailed plans, no material change should be permitted to be made without reference to the Public Works Committee, and without the consent of the Council obtained thereon. Such a course as this would secure to the public an efficient and effective control over the reception and execution of extraordinary public works, and over the expenditure thereon, a control which it is impossible for the Council to exercise at present, and through the medium of the Committee we desire.

The practice of sanctioning and commencing works before detailed drawings, designs, plans and estimates have been carefully prepared cannot be supported and should be discontinued. We further recommend that before sanctioning further new works, than those already authorized, the most important public works already commenced should be pushed on to completion. We beg leave to make the following observations regarding the undermentioned public works:—

The Surveyor General states in the Finance Committee that contracts have been entered into for the foundations, but not for the superstructure—approximately about \$77,000. It is

almost impossible to make a fixed contract for the cost of laying the foundations because so much depends upon the nature of the foundation. It was not for a lump sum but it is nevertheless a contract. It would be impossible to say exactly what the amount would be. The work is paid for according to how much is done. I do not know how you would like to do it. I have endeavoured to explain, that when the contract is let under the system of measurements it is the Engineer in charge who measures up the work. The Engineer in charge of the work is responsible for all measurements of which he has charge, etc."

We are strongly in favour of contracts being made for a lump sum. The colony is committed to an unknown and unlimited expenditure if the contract sum is not fixed beforehand.

We would urge the imperative necessity for all measurements being made by the Engineer—not by the overseer—and that the rule be not in any one instance departed from.

We cannot but regard the increase in the Estimate from \$335,000 to \$370,000, proposed to be spent on this work as excessive and extravagant, and are decidedly of opinion that a reduction in the amount, consistent with efficiency and the Colony's requirements, can be effected.

GAOL LIGHTHOUSE.

We heartily approve of this very desirable and necessary work, and earnestly hope it will be pushed on to completion with all possible despatch.

PRAYA RECLAMATION.

SITE FOR PROPOSED NEW WESTERN MARKET.

We are sorry to observe that little progress has been made with this work, though it was commenced as long ago as 1888. We recommend that the undertaking be proceeded with, with as little delay as possible, so as to permit of the construction of the proposed new western market. A return on the heavy outlay to be incurred would then be obtained, and a considerable sum would be realized for the site of the present western market.

NEW ROADS AND PREPARATORY WORKS.

KENNEDY ROAD SITE.

We earnestly hope that the difficulties with the military authorities will soon be got over, to enable the proposed work to be proceeded with a view to disposing of the desirable building sites which will then be opened up.

GAOL EXTENSION.

The erection of a new gaol is in our opinion undesirable and unnecessary inasmuch as the present building has proved in the past most healthy and is in good repair. We think it is capable of extension in such a manner as to provide for all necessary requirements. Being informed that the two commissions which last sat on the question had arrived at the conclusion that there is over-crowding, we therefore recognize that it may be necessary to extend the present gaol, and will be prepared to vote the money for an extension in due time.

We have not voted the money for the requisite additions as the sum required is unknown, and no definite scheme has been determined upon nor have plans, so far as we know, been prepared. We have reason to believe there are a large number of mendicants who make their way over to the colony from the mainland of China. There seems to be a consensus of opinion in favor of devising some system whereby criminals could be deported with some reasonable guarantee that they would not be able to return to the colony, and further that nothing but flogging for the worst class of native criminals has any deterrent effect whatever.

The present system of solitary confinement seems to be of unknown quantity. All are not agreed that it is the most deterrent. Informative effects are more or less a speculation. It will be unwise to experiment on a large scale in this direction until more is known about this system's effects.

CATTLE DEPOT EXTENSION AND NEW SLAUGHTER HOUSE—PIG AND SHEEP DEPOTS.

In the Estimates for 1889 the estimated cost was \$74,000. It has now risen to \$100,000, and the Surveyor General thinks that this amount will be a close approximation to the actual cost.

The present system of pigs and sheep certainly requires to be improved, and we regard a new slaughter house as absolutely necessary.

We cannot, however, but think that the sum proposed to be spent is on altogether too extravagant a scale.

PUBLIC LAUNDRIES.

We think the proposed experimental scheme worthy of a fair trial. It has been strongly recommended by the Sanitary Board.

The pecuniary risk is small, while the possible advantages to be derived are great.

CIVIL HOSPITAL STAFF QUARTERS.

We think it well to quote the Surveyor General's own words from his letter of 17th June last to the Acting Colonial Secretary, para. 10:—

"The increase in the estimate of the quarters for the Hospital Staff from \$43,000 to \$75,000 is so accounted for. On my arrival I found the foundations practically completed to the level of the ground floor. On these foundations, an expenditure of no less a sum than \$12,800 had been incurred. The designs were prepared and it was practically impossible to do more from them to any considerable extent without incurring additional expense in altering the foundations. As the Government was committed to the work there appeared no other course open than to complete them as economically as possible, and the contract was let by public tender. I can, however, but regard this building as altogether too large and extravagant a scale for the purpose for which it is intended."

If feasible, we strongly urge the conversion of part of these new quarters, which are to cost such a large sum, into an addition to the hospital.

POLICE STATION, KENNEDY TOWN.

We recommend that this Station should be completed as soon as possible. The building is to cost upwards of \$41,000, and the Surveyor General reports that it is a work of primary importance. If not occupied the building is certain to deteriorate and ultimately further expenditure will be necessary.

RECONSTRUCTION OF GOVERNOR'S PEAK RESIDENCE.

We are of opinion that a new Summer residence at the Peak is necessary, the present being wholly unsuitable. The vote of \$40,000 passed in Finance Committee on the 10th inst. of the Acting Colonial Secretary that "we must vote the amount on principle, and that in this case we are asked to vote for a principle; we sincerely trust will not be increased later on, as we are given to understand that neither the site nor the building has been decided upon, and would have caused against any possibility of any material alterations or any change of plan, and that the amount passed was merely guess work."

WATER AND DRAINAGE DEPARTMENT.

We do not feel satisfied that the estimated expenditure of \$25,000 already voted on the sewerage of Victoria was a desirable one, to incur, but as the work has been commenced and has therefore to be gone on with we do not disapprove of the decision of Government to sanction and carry out the Hon. O. Chishwick's proposals and plan, but we are of opinion that it would have been better when such decision was approved of by the Council that we were given to understand that such a decision would have caused against any possibility of any material alterations or any change of plan, and that the amount passed was merely guess work.

It seems to us that it may be desirable sooner or later to amend the Constitution of the Sanitary Board so as to entrust it with the supervising authority of the Water Supply and the Drainage works—public and private alike—when the same shall be sufficiently completed.

GOVERNMENT OFFICES: EXTENSION OF NEW LAW COURTS.

We are not satisfied that these works are of urgent or of even pressing necessity, and we therefore recommend that they be postponed.

Questions of Finance and of Expenditure are matters which fall specially within the competence of the unofficial members. No expenditure should ever be made until it has been sanctioned by the Council. Essential works already commenced in course of construction should be systematically pushed on and completed. The unofficial members should submit to be consulted before any moneys for new public works are inserted in future Estimates.

The value of the unofficial element lies in the direction of a right to be consulted before any thing is done which will commit the colony to any serious expenditure, and, in affording the public through it, an opportunity of discussing every matter before such matter is brought into final operation.

A Public Works Committee exists in name only.

Signed P. RYRIE.

C. P. CHATER.

J. J. KEAWICK.

T. H. WHITEHEAD.

Hongkong, 20th December, 1890.

To His Excellency The Officer Administering the Government of Hongkong

His Excellency said that the document laid on the table with a view to having it forwarded to the Secretary of State, would, he thought, be sent to his desired destination by the Governor. He was glad that the unofficial members had adopted the course pursued in drawing up the said document in lieu of the proposed *addenda* to their report on the Estimates. The course pursued would facilitate the despatch of business and leave little or nothing undone that should have been done ere the Governor returned to these shores.

His Excellency then in a very lengthy and explanatory address spoke upon all the points raised in the memorandum. As to the complaint that there was not sufficient explanation in regard to the Public Works Extraordinary he was under the impression that the three reports of the Surveyor General fairly gave an account of the necessity of improvement in the accommodation of prisoners at Victoria Gaol, that the modification of prisoners at Victoria Gaol could be but little doubt. The way in which prisoners were confined for debt was not such as was in keeping with the spirit of the times in which we now live, and it would be a question for consideration whether such a custom should be continued. A good many leading citizens with whom he had conversed on the subject thought it could hardly be abolished. If, however, it were continued there was no doubt but that reasonably suitable accommodation for debtors must be provided. If a citizen contracted fraudulent debts a remedy at law was provided for him elsewhere. As to the question of habeas corpus for each prisoner he had ascertained that as many as eight Chinese prisoners were confined in cells which were built to accommodate but three. That was directly contrary to the spirit of the Public Health Ordinance, and, legally speaking, the Superintendent of the Gaol could be prosecuted and punished for it. He had sent certain propositions to the Secretary of State in respect to what he considered, after personal inspection and careful inquiries, were necessary improvements of the Gaol. Until Lord Knutsford's reply thereto was to hand it would be useless to submit plans and specifications to the Council—that would be done in due course. When he did so later on he felt sure that the Council would willingly vote the required sum to meet the expenditure. Referring to large numbers of criminals who should not be kept in the gaol, his Excellency said that the utility of the present system of deportation was only too manifest, and that the subject of the permanent expulsion of a certain class of criminals would no doubt meet with the careful and prompt consideration of the Governor upon his return here.

His Excellency concluded by saying that, as in the past in the future he would do all that was possible to provide members with all particulars of sums upon which their vote was required. He could see no objection to such a course being adopted, and thought that the Governor would not object to it either.

The report on the Estimates for 1891 was formally adopted, the sum of \$100,000 being alone disallowed.

THE "NAMO" PIRACY AFFAIR.

Mr. T. H. Whitehead gave notice that at the next meeting of Council he would ask:—What reason the Government had in despatching H. M. S. *Linnet* in search of the pirates who looted the *Namoa* on the 10th inst.?

His Excellency explained the reason of the delay in the despatch of the *Linnet* at considerable length, and said that he preferred to do so at once rather than keep the public without the information for another fortnight. In the course of his remarks he said that at 10 a.m. on the 11th inst. Commodore Church called on him and reported what he had heard on the subject. He (the Acting Governor) suggested the despatch of a gunboat, and the Commodore called before despatching. He told him that he would communicate with Mr. MacLeary Brown, Commissioner of Customs, as that official might supply useful information of the part of the coast where the pirates were committed. Mr. Brown called on him promptly and agreed to despatch. Capt. Stewart, of the Chinese revenue cruiser *Kalpa*, on board the *Linnet*, he then wrote a note to the Commodore telling him of what had been decided upon. That was at 11 a.m. on the 11th inst. During the course of the afternoon the Commodore sent him an official despatch stating the *Linnet* would start early the next morning. He, the Acting Governor, did not ask the Commodore to despatch the *Linnet* at any special time. If he was to blame it lay in his not having stated the hour at which the gunboat should leave. Why the *Linnet* did not start until the next morning he had not taken steps to ascertain, but it was stated by the Commodore that the gunboat was sent rather with a view to getting information than to do anything more effectual. Another probable reason for the delay in the despatch of the *Linnet* was that the *Namoa* had been seen on the coast near to the place where the pirates were supposed to have landed; in the night. That was what he gathered from the Commodore at 10 o'clock a.m. As to despatching the *Namoa*, his Excellency showed that that would have been tantamount to a declaration of war, and had been proved on the occasion of a previous piratical attack on a British vessel some 21 years ago.

THE CHANGE OF GOVERNMENT.

Mr. Ryrie addressed the Council in his capacity as an unofficial member, regarding the retirement of Mr. Fleming from the Council upon the return of Mr. William MacLeary Brown, amongst other things, that the Acting Governor had consulted the unofficial members of the Council as to the propriety of Mr. Fleming's retirement, and that the Council had agreed to his retirement.

His Excellency then in a very lengthy and explanatory address spoke upon all the points raised in the memorandum. As to the complaint that there was not sufficient explanation in regard to the Public Works Extraordinary he was under the impression that the three reports of the Surveyor General fairly gave an account of the necessity of improvement in the accommodation of prisoners at Victoria Gaol, that the modification of prisoners at Victoria Gaol could be but little doubt. The way in which prisoners were confined for debt was not such as was in keeping with the spirit of the times in which we now live, and it would be a question for consideration whether such a custom should be continued. A good many leading citizens with whom he had conversed on the subject thought it could hardly be abolished. If, however, it were continued there was no doubt but that reasonably suitable accommodation for debtors must be provided. If a citizen contracted fraudulent debts a remedy at law was provided for him elsewhere. As to the question of habeas corpus for each prisoner he had ascertained that as many as eight Chinese prisoners were confined in cells which were built to accommodate but three. That was directly contrary to the spirit of the Public Health Ordinance, and, legally speaking, the Superintendent of the Gaol could be prosecuted and punished for it. He had sent certain propositions to the Secretary of State in respect to what he considered, after personal inspection and careful inquiries, were necessary improvements of the Gaol. Until Lord Knutsford's reply thereto was to hand it would be useless to submit plans and specifications to the Council—that would be done in due course. When he did so later on he felt sure that the Council would willingly vote the required sum to meet the expenditure. Referring to large numbers of criminals who should not be kept in the gaol, his Excellency said that the utility of the present system of deportation was only too manifest, and that the subject of the permanent expulsion of a certain class of criminals would no doubt meet with the careful and prompt consideration of the Governor upon his return here.

His Excellency concluded by saying that, as in the past in the future he would do all that was possible to provide members with all particulars of sums upon which their vote was required. He could see no objection to such a course being adopted, and thought that the Governor would not object to it either.

The report on the Estimates for 1891 was formally adopted, the sum of \$100,000 being alone disallowed.

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THE "NAMO" PIRACY AFFAIR.

THE NAVAL AUTHORITIES TO BLAME.

At the meeting of the Legislative Council on the 22nd inst. His Excellency the Acting Governor, in reply to a question put by Mr. T. H. Whitehead, gave the following reasons for the delay in the despatch of a British gunboat to the scene of the piratical and murderous attack upon the steamship *Namoa* on the 10th inst.:

His Excellency—I think, inasmuch as if any one is responsible for what took place in regard to this matter, it is myself, it will be more satisfactory for me to at once answer the hon. member's question than to wait till the arrival of the Governor. I will therefore state shortly the facts as to what took place in so far as I am concerned in relation to this matter. About ten o'clock on the morning of the 11th inst. Commodore Church came to see me and informed me of what had taken place. At that time I had received no official report from any one, nor had the matter been in any way officially brought to my notice. The Commodore told me what had been related to him, and I then suggested that it might be desirable to send a gunboat to the scene of the piracy. The Commodore expressed his willingness to do so, and I told him that before sending a gunboat I would like to see Mr. MacLeary Brown, who probably knew the locality well and would be able to give me valuable information.

I sent to Mr. MacLeary Brown, and he very kindly came to see me in half an hour's time. I told him what the Commodore had mentioned to me, what facts had come to his knowledge previously. He agreed with me that it would be desirable for a gunboat to go, and said that he would ask Captain Stewart to accompany the gunboat. If such would be agreeable to Commodore Church, Captain Stewart, I may mention, is captain of the *Kalpa*, a revenue cutter. I wrote to the Commodore and told him of the offer of Mr. MacLeary Brown, and that Mr. MacLeary Brown would request Captain Stewart to accompany him, in order that he might go with the gunboat if such was considered desirable. This was about 10 o'clock, for Mr. MacLeary Brown came to me shortly after the Commodore had left. During the course of the afternoon I received information by letter from the Commodore that the *Linnet* would leave early the next morning. I did not consider it necessary to request Commodore Church to send a gunboat at any particular time. I considered that a matter for the naval authorities, and if I am to blame to any extent is that I did not request the naval authorities to send the *Linnet* at any particular time. That did not strike me as being a part of my duty. I thought the request that the gunboat should go at a particular hour was a matter rather for the naval authorities than myself. Why the *Linnet* did not go until next morning I cannot take upon myself to say, but I have spoken to Commodore Church since on the subject, and his impression was that the particular object in sending the gunboat was rather to obtain information than with any idea at that period of being able to do anything in the way of securing any of the pirates. It must be borne in mind that the *Namoa* came in at eight o'clock that morning, that what had taken place took place about one o'clock the previous day, and that therefore if any of the pirates had landed at that particular spot where the *Linnet* made for, they would probably have got away before the *Linnet*'s arrival. I believe that the *Namoa* was one fact which influenced Commodore Church in not having despatched a gunboat sooner. There may have been another fact, and I believe there was, which was, that Commodore Church thought that by going up the coast in daylight, the boat might prove more useful than if she started during the course of the afternoon, when darkness would have come on them very soon after starting. These are the circumstances connected with what took place on that day, and as I have already mentioned I saw Commodore Church about ten o'clock in the morning, saw Mr. MacLeary Brown about half an hour afterwards, and the *Linnet* was sent. I have desired that a gunboat should be sent, and I have been suggested that in addition to the gunboat having been sent, it might have been possible for the Government to have sent one of their own steamers, namely the *Fame*. I candidly admit that on that particular day I did not get to me to send the *Fame*, and I thought it would be far better for a gunboat to go than for a colonial steamer; but a few days afterwards when more information was received in connection with the whereabouts of these pirates, it did strike me that it might be possible to send off the *Fame* in a short time. Accordingly I directed steps to be taken to ascertain if she could be sent off. The object to my mind was, difficulty in sending the *Fame*, and that idea was abandoned. The reason of this was that some twenty-two years ago this very *Fame* was sent on a similar expedition, and the Secretary of State wrote a despatch complaining that such a thing had been done. I will read you some extracts from the correspondence that took place. The correspondence was forwarded in a despatch from the Colonial Office dated October 22nd, 1868. It is a formal despatch, and the Secretary of State does not make any comment on the matter. He enclosed in the first place a letter from the Minister at Peking, addressed to Lord Stanley. The Minister at Peking says, "I have the honour to acknowledge the receipt of your despatch of the 10th inst. relating to an expedition by the Police into Chinese territory, and I quite agree with the expressions in reference to this matter. I have to inform you that a copy of the despatch has been sent to the Foreign Office for consideration." Referring to the notice of the occurrence which appeared in the *China Mail*, Her Majesty's Consul at Canton says, "I am of course not in a position to verify the truth of this statement, but I have no objection to question the Colonial Government on the subject; but I think it right to bring the matter to your notice; it bears *prima facie* evidence of being correct." Possibly the Hongkong Government may have communicated with the Chinese Magistrate in Kowloon and obtained some sanction for the proceeding, but if no such authority was obtained it is one fraught with danger to our amicable relations with the Chinese Government, a clear invasion of international rights, and calculated to weaken the right of appeal to the Chinese Government for redress under similar circumstances, the following is the salt 'gabelle' in British waters being an instance. Under any circumstances the employment of Colonial Police beyond the colony, and particularly on services pertaining strictly to Her Majesty's squadron, is certainly not authorized by any existing treaty or regulation, and may lead to serious difficulties and complications. Situated as Hongkong is on the shore of the southern part of the Chinese Empire, great care and discretion should be exercised in respect to international relations, and the *Namoa* case can be best explained by the British and Chinese authorities, and I will read you some extracts from the *China Mail* which gave rise to this question. It is in the issue of the 11th July, 1890, and states:—

"The steamer *Fame*, in this port

